

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND EDWARD STEELE,

Petitioner, No. CIV S-03-0143 GEB CKD

vs. DEATH PENALTY CASE

WARDEN, San Quentin
State Prison,

Respondent. ORDER

The undersigned held a scheduling conference on April 19, 2012. David Harshaw appeared for petitioner. Eric Christoffersen appeared for respondent. The parties agreed that the discovery motion described in the September 8, 2011 order should be limited to seeking evidence petitioner feels may be lost if not sought soon.

Accordingly, and good cause appearing, IT IS HEREBY ORDERED as follows:

1. The requirement in the court's September 8, 2011 order that petitioner seek "all known discovery" in his discovery motion is vacated.

2. By June 1, 2012, petitioner shall file a motion for time-sensitive discovery. In addition to demonstrating good cause under Habeas Rule 6, the motion shall include: (a) argument on whether satisfaction of the 28 U.S.C. § 2254(d) standard is a necessary part of the

1 good cause showing for discovery; and (b) points and authorities showing that the section
2 2254(d) standard is satisfied, based on the state court record, for every claim upon which
3 petitioner seeks discovery.

4 3. By July 16, 2012, respondent shall file an opposition to the discovery motion.

5 4. By August 6, 2012, petitioner shall file any reply. The court will schedule

6 argument if necessary.

7 Dated: April 19, 2012


8 CAROLYN K. DELANEY
9 UNITED STATES MAGISTRATE JUDGE

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